

IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

COIN CENTER, *et al.*,

Plaintiffs-Appellants,

v.

SECRETARY, U.S. DEPARTMENT OF THE  
TREASURY, *et al.*,

Defendants-Appellees.

No. 23-13698

**CONSENT MOTION TO HOLD APPEAL IN ABEYANCE**

## **CERTIFICATE OF INTERESTED PERSONS**

Pursuant to Eleventh Circuit Rule 26.1-1, counsel for Defendants-Appellees the Secretary of the U.S. Department of the Treasury, et al., certify that the following have an interest in the outcome of this appeal:

**Andreessen Horowitz**, Amicus Curiae

**Bank Policy Institute**, Amicus Curiae

**Bessent, Scott**, Secretary of the Treasury

**Blockchain Association**, Amicus Curiae

**Bonta, Christian**, Attorney for Plaintiffs-Appellants

**Boynton, Brian M.**, Attorney for Defendants-Appellees

**Burnham, James**, Attorney for Amici Blockchain Association & DeFi  
Education Fund

**Coin Center**, Plaintiff-Appellant

**Consovoy McCarthy PLLC**, Attorneys for Plaintiffs-Appellants

**Coogle, Christine L.**, Attorney for Defendants-Appellees

**DeFi Education Fund**, Amicus Curiae

**Department of Treasury**, Defendant-Appellee

**Doe, John**, Plaintiff-Appellant

**Elliott, Stephen M.**, Attorney for Defendants-Appellees

**Evangelista, Alessio**, Attorney for Amicus Curiae Andreessen Horowitz

**Gacki, Andrea M.**, Former Director of the Office of Foreign Assets Control

**Haas, Alexander**, Attorney for Defendants-Appellees

**Harris, Jeffrey M.**, Attorney for Plaintiffs-Appellants

**Healy, Christopher**, Attorney for Defendants-Appellees

**Hetzel, Jeffrey S.**, Attorney for Plaintiffs-Appellants

**Hinshelwood, Brad**, Attorney for Defendants-Appellees

**Hoffman, David**, Plaintiff-Appellant

**Jones Day**, Attorneys for Amici Blockchain Association & DeFi Education Fund

**Kelleher, Diane**, Attorney for Defendants-Appellees

**Kinchen, John**, Attorney for Amicus Curiae Bank Policy Institute

**Lea, Brian**, Attorney for Amici Blockchain Association & DeFi Education Fund

**Lehotsky Keller Cohn LLP**, Attorneys for Amicus Paradigm Operations LP

**Liu, Jessie K.**, Attorney for Amicus Andreessen Horowitz

**Office of Foreign Assets Control**, Defendant-Appellee

**Norris, Cameron T.**, Attorney for Plaintiffs-Appellants

**O'Sullivan, Patrick**, Plaintiff-Appellant

**Paradigm Operations LP**, Amicus Curiae

**Sasso, Michael**, Attorney for Plaintiffs-Appellants

**Sasso & Sasso, P.A.**, Attorneys for Plaintiffs-Appellants

**Seira, Rodrigo**, Attorney for Amicus Paradigm Operations LP

**Skadden Arps**, Attorney for Amicus Andreessen Horowitz

**Smith, Bradley T.**, Director of the Office of Foreign Assets Control

**Smyser Kaplan & Veselka LLP**, Attorneys for Amicus Bank Policy Institute

**Sutherland, J. Abraham**, Attorney for Plaintiffs-Appellants

**Swingle, Sharon**, Attorney for Defendants-Appellants

**Wetherell, Hon. T. Kent**, District Court Judge

**Yarger, Katherine**, Attorney for Amicus Paradigm Operations LP

**Yellen, Janet**, Former Secretary of the Treasury

/s/ **Brad Hinshelwood**  
BRAD HINSHELWOOD

Pursuant to Federal Rule of Appellate Procedure 27, the United States respectfully moves to hold this appeal in abeyance for 21 days from the date of this motion—that is, until March 21, 2025. Plaintiffs consent to the relief requested in this motion.

1. This appeal arises from the decision of the Office of Foreign Assets Control, a component of the Department of the Treasury, to designate the Tornado Cash entity pursuant to Executive Orders 13,694 (relating to certain cyber activities that threaten the United States) and 13,722 (relating to North Korea’s nuclear and missile programs).

2. The Court heard oral argument in this appeal on November 19, 2024. The Court has not yet issued a decision.

3. Due to the recent change in administration on January 20, 2025, the Department of the Treasury is now under new leadership. New agency officials are still in the process of onboarding and familiarizing themselves with relevant issues, including the underlying designation in this litigation and related legal issues.

4. To allow new agency officials sufficient time for consultation and consideration, and because any action taken by the agency could impact the litigation, the government respectfully moves to place this appeal in abeyance for 21 days from the date of this motion—that is, until March 21, 2025. Counsel for plaintiffs have authorized us to state that plaintiffs consent to the relief requested in this motion.

Respectfully submitted,

SHARON SWINGLE

/s/ **Brad Hinshelwood**

BRAD HINSHELWOOD

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FEBRUARY 2025

### **CERTIFICATE OF SERVICE**

I hereby certify that on February 28, 2025, I filed and served the foregoing document with the Clerk of the Court by causing a copy to be electronically filed via the appellate CM/ECF system. The parties to the case are registered CM/ECF users and will be served via the CM/ECF system.

/s/ **Brad Hinshelwood**  
BRAD HINSHELWOOD

### **CERTIFICATION OF COMPLIANCE**

Pursuant to Fed. R. App. P. 32(g), I hereby certify that this response complies with the requirements of Fed. R. App. P. 27(d)(1)(E) because it has been prepared in 14-point Garamond, a proportionally spaced font, and that it complies with the type-volume limitation of Fed. R. App. P. 27(d)(2)(A) because it contains 235 words according to the count of Microsoft Word.

/s/ **Brad Hinshelwood**  
BRAD HINSHELWOOD